

The Board of County Commissioners Of Riley County, Kansas

The Regular meeting of the Board of County Commissioners met at the Riley County Plaza East Building August 12, 2010 with the following members present: Mike Kearns, Chairman; Karen McCulloh, Vice Chair; Alvan Johnson, Member; and Julie Akers sitting in for Rich Vargo, County Clerk.

8:30 Public Comment & Business Meeting

Clancy Holeman, Counselor/Director of Administrative Services; Johnette Shepek, Budget and Finance Officer; Joyce Mermis, KMAN; Paul Foltz; Brad Dornes, Manhattan Mercury; Jolene Keck, Elections Supervisor; Rosemarie Roberts, Elections Senior Analyst; Leon Hobson, Public Works Director/County Engineer; Julie Merklin, League of Women Voters; Chris Welchhans, GIS Director; Monty Wedel, Planning/Special Projects Director; Mike Holtman – Sink, Gillmore, and Gordon, LLP; Bob Murray, McElroy's Inc.; and Trever Berry, Central Mechanical Services, attended.

Johnson moved to authorize and sign an audit related legal request letter for Sink, Gillmore and Gordon, LLP. McCulloh seconded. Carried 3-0.

Holeman said a parking lot on the corner of 5th and Humboldt would be in the public interest, and would likely qualify for that use under the City's zoning process for governmental entities.

Foltz stated that he spoke with Jason Hilgers, the Assistant City Manager, and was told that the process may take longer with a public entity rather than a private party. Foltz stated that no more curb cuts are allowed on Humboldt. Foltz said that he would like to see a parking garage built on the city lot to provide for the entire C-4 district.

The Board of County Commissioners agreed by consensus not to sell the property.

The Board of County Commissioners signed Riley County Personnel Action Forms for the following:

- Brandy Collins, an On-Call Juvenile Intake, in the Community Corrections Department, for Separation from County Service, effective July 9, 2010.
- Mark Savoy, a Temporary Election Worker, in the County Clerk-Elections Department, for Separation from County Service, effective August 9, 2010.
- Lane Trautwein, a new hire, as a Seasonal Laborer, in the Road and Bridge Department, at a grade A step 1, at \$10.29 per hour.

Keck stated that there was a two-way tie for the position of Republican Precinct Committeeman for Ward 1 Precinct 1. Keck stated that Henry Otto and Kurt Moldrup both received five votes and that the tie will be decided by the Board of County Canvassers. Keck stated that in the past, the Board of County Canvassers has flipped a coin to determine the elected position and recommended the Board use the same method.

Kearns recommended that a citizen determine which candidate receives heads and tails.

Foltz called heads for Moldrup and tails for Otto.

Kearns flipped the coin and it was determined that tails won. Holeman confirmed.

Otto was determined the Republican Precinct Committeeman for Ward 1 Precinct 1.

The Board of County Commissioners certified the 2010 Primary Abstract.

Johnson moved to sign the Real Estate Tax Roll Correction for S. Thomas and Ruth Abbott (212-03-0-40-12-002.49-0) for tax year 2009. This results in a decrease in tax dollars of \$182.38. McCulloh seconded. Carried 3-0.

Johnson moved to approve the payroll vouchers in the amount of \$211,669.50 and the following warrant vouchers for August 13, 2010:

2010 Budget

County General	\$476,574.28
Riley Co Juvenile Service	5,122.26
Motor Vehicle Operations	4,656.40
21 st Jud Dist Teen Court	895.21
Riley Co Adult Services	7,345.44
Capital Improvements Fund	73,891.06
Emergency 911	6,441.98
Solid Waste	3,905.78
County Building	3,475.21
Road & Bridge Cap Project	921.86
RCPD Levy/Op	2,824.24
Landfill Closure	660.34
Riley Co Fire Dist #1	8,102.73
University Park W&S	5,406.53
Hunters Island Water Dist	1,270.65
Deep Creek Sewer	75.00
Moehlman Bottoms	854.78
Valleywood Operations	499.80
Terra Heights Sewer	712.50
Konza Water Operations	3,313.71
Valleywood Cap Reserve	5,400.00
TOTAL	\$612,349.76

McCulloh seconded. Carried 3-0.

Johnson moved to approve the minutes of August 9, 2010 as amended.

McCulloh seconded. Carried 3-0.

9:04 Leon Hobson, Public Works Director/County Engineer

Clancy Holeman, Counselor/Director of Administrative Services; Johnette Shepek, Budget and Finance Officer; Joyce Mermis, KMAN; Paul Foltz; Brad

Dornes, Manhattan Mercury; Julie Merklin, League of Women Voters; Bob Murray, McElroy's Inc.; and Trever Berry, Central Mechanical Services, attended.

The Board of County Commissioners opened the following bids for Public Works crew buildings ABC-HVAC systems:

<u>Company</u>	<u>Total Bid</u>
Reid Plumbing 8964 Green Valley Dr. Manhattan, KS 66502	\$168,950.00
McElroy's Inc. 312 Fremont St. Manhattan, KS 66502	\$159,729.00
Central Mechanical Services 1131 Hayes Dr. Manhattan, KS 66502	\$130,931.00

McCulloh moved to refer the bids to staff for evaluation and recommendation. Johnson seconded. Carried 3-0.

9:10 Lyle Butler, Manhattan Area Chamber of Commerce

Johnette Shepek, Budget and Finance Officer; Joyce Mermis, KMAN; Paul Foltz; Brad Dornes, Manhattan Mercury; and Julie Merklin, League of Women Voters, attended.

Butler presented an article from the *Kansas City Star* called "Personal income declines in Kansas City metro area". The article reported, "Personal income for residents of the Kansas City metro area declined about the same pace as the national average last year, but Manhattan, Kan., St. Joseph and Columbia defied the fall." Butler said that this is a step in the right direction.

Butler stated that the three chambers of Douglas, Shawnee and Riley Counties have hired a consultant that will have a report in October as to whether or not it makes sense to determine economic development on a regional basis.

Butler said he is concerned with the vacancy of two large buildings in the Corporate Tech Park once Alorica Inc. leaves. Butler said that two to four calls per month are received from other call centers interested in coming to the area, but no incentives can be given, but most do not qualify for incentives because of their low hourly wage.

Johnson asked what is the status of the Visitor's Center?

Butler said there is still one final study to find out if this is the right area due to changes in the community, but the deadline is within the next week.

McCulloh asked, how is personal income defined in the article?

Butler said he must look into how the author measured it for the article since income can be measured using many different methods.

9:30 Eileen King, Treasurer

Johnette Shepek, Budget and Finance Officer; Joyce Mermis, KMAN; and Julie Merklin, League of Women Voters, attended.

King presented monthly financial reports.

9:45 Clancy Holeman, Counselor/Director of Administrative Services

- **Administrative Work Session**

Johnette Shepek, Budget and Finance Officer; Joyce Mermis, KMAN; Leon Hobson, Public Works Director/County Engineer; and Julie Merklin, League of Women Voters, attended.

Holeman stated he met with Leon Hobson and Monty Wedel regarding the drainage issue at the north end of Nelson's Landing. Holeman said the County has the legal right to order that a tube be cleared, but that will not reduce overflow due to the nature of the terrain.

Holeman reported that according to John Doehling, Assistant Director of the Riley County Police Department (RCPD), there is an issue of approximately \$20,000 in inmate accounts languishing at the jail, which represents money RCPD previously collected from inmate accounts as reimbursement for medical expenses of inmates. Doehling says the jail is working to associate that money with individual inmate names, at which time they will transfer that money to the County, for application to those inmates' paid medical expenses.

Holeman said the next issue involves certain balances Riley County Police Department is carrying on its books as what Holeman calls an "accounts receivable", representing money owed by various inmates for past medical expenses.

Holeman reported there are two separate types of resolutions on inmate jail expenses and inmate accounts which are relevant to inmate costs of confinement. K.S.A. 19-1930(d) deals with work release inmates and a subparagraph which authorized the County to pass our current \$20 per day work release fee.

Holeman reported the second statutory subparagraph bears upon "daily housing" costs. By K.S.A. 19-1930(e), the Board of County Commissioners is authorized to pass a resolution which "may provide...that any inmate...who is incarcerated...pursuant to a sentence for the conviction of a crime in this state...shall be required to pay to the county a fee in an amount not exceeding the county's daily cost of housing the inmate to defray the costs of maintaining such inmate in the county jail for each day prior to and after conviction for an offense resulting in conviction." That resolution must provide such fee is subordinate to "restitution, child support, court costs or fines". The statute specifically allows the County to garnish the inmate's "commissary account to recover such costs."

Holeman reported the County doesn't have that same specific statutory right to directly garnish an inmate account without first obtaining a judgment under first described the "work release" resolution. The County also doesn't have the explicit statutory right to obtain "reimbursement" for medical expenses under K.S.A. 19-4444 directly from an inmate's commissary account. Presumably any such reimbursement under K.S.A. 19-4444 would ordinarily have to be undertaken by means of first suing the inmate and obtaining a judgment, then enforcing that judgment through garnishment.

No action was taken by the Commission.

10:23 Leon Hobson, Public Works Director/County Engineer

Clancy Holeman, Counselor/Director of Administrative Services; Johnette Shepek, Budget and Finance Officer; Joyce Mermis, KMAN; Julie Merklin, League of Women Voters; Cindy Volanti, Human Resource Manager; Eileen King, Treasurer; and Gary Rosewicz, Assistant County Engineer, attended.

Hobson proposed a new definition of duties for custodial staff. The Facility Supervisor would remain in charge of the Division, but would not be responsible for the day to day work and supervision of the custodial staff. Other than general oversight, this position would devote the majority of its time to maintenance.

The Custodian II position would be upgraded to a Custodial Manager and be responsible for the day to day work and supervision of the custodial crew as well as performing their own custodial duties.

The two (2) Custodian I positions would remain the same.

The on-call position would be upgraded to a full time employee, Grade D, to provide additional manpower to accomplish the desired results.

Hobson said they are also exploring how rearranging employee shifts may improve the efficiency while, at the same time, providing coverage during the normal business day.

Hobson recommended the proposed changes be made as the staff is confident they are necessary to provide the manpower and supervision required to be proactive in the maintenance and upkeep of the Plaza buildings and equipment, to perform special projects and provide adequate staff during vacations and illness. With the added benefit of having the funds within the current Public Works budget, staff would recommend the County Commission approve the request.

Johnson moved to authorize the upgrade of the Custodian II position to a Custodial Manager position at a Grade L, Step I and to upgrade the on-call custodial position to a full time Custodian I position at a Grade D, Step I. McCulloh seconded. Carried 3-0.

10:40 Katie Morris, Public Finance Specialist, Office of Local Government K-State Research and Extension

Clancy Holeman, Counselor/Director of Administrative Services; Johnette Shepek, Budget and Finance Officer; Joyce Mermis, KMAN; Brad Dornes, Manhattan Mercury; Julie Merklin, League of Women Voters; and Eileen King, Treasurer, attended.

Morris presented the "Comparison of County Revenues and Expenditures: Riley County and Peers 2004-2008" report showing Riley County to be low in all categories.

The Board of County Commissioners signed a Riley County Position Action Form for a Custodial Manager, in the Public Works-Custodial Department at a grade L.

11:24 Clancy Holeman, Counselor/Director of Administrative Services

Johnette Shepek, Budget and Finance Officer; Joyce Mermis, KMAN; Brad Dornes, Manhattan Mercury; Julie Merklin, League of Women Voters; Leon Hobson, Public Works Director/County Engineer; and Anne Smith, aTa Bus Director, attended.

Holeman recommended that since aTa Bus and KDOT have signed their Agreement for Capital Assistance Funds (which provides the two million dollars for the construction of the transit facility) the long term lease and Memorandum of Agreement for sewer connection need to be executed by the County and aTa Bus to allow them to let bids and begin the project.

McCulloh asked if others wanted to hook on to the sewer system, what would they do?

Hobson said that in the past, the Commission has denied requests due to limited capacity.

McCulloh moved that the Board authorizes the chairman to execute the aTa Bus Long Term Lease and Memorandum of Agreement for Sewer Connection.

Johnson seconded. Carried 3-0.

11:30 McCulloh moved to adjourn the meeting. Johnson seconded. Carried 3-0.